



1

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Martin A. Cheever and Mary L. Disis
Attorney's Docket No: 920010.535
Application No.: 09/088,951
Filed: June 2, 1998
For: METHODS AND COMPOSITIONS TO GENERATE IMMUNITY IN HUMANS
AGAINST SELF TUMOR ANTIGENS BY IMMUNIZATION WITH
HOMOLOGOUS FOREIGN PROTEINS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§ 1.9(f) AND 1.27(d) -- NONPROFIT ORGANIZATION)

I declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: University of Washington
Address of Organization: Seattle, Washington 98195

TYPE OF ORGANIZATION:

- ☒ university or other institution of higher education
☐ tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3))
☒ nonprofit scientific or educational under statute of a state of the United States of America
(Name of state: Washington)
(Citation of statute: R.C.W. 24.06)
☐ would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in the United States of America
☐ would qualify as nonprofit scientific or educational under statute of a state of the United States of America if located in the United States of America
(Name of state: _____)
(Citation of statute: _____)

RECEIVED
TECH CENTER 1600/2900
98 SEP 17 AM 10:27

I declare that the above-identified nonprofit organization qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees under 35 U.S.C. §§ 41(a) and 41(b) with regard to the invention entitled:

METHODS AND COMPOSITIONS TO GENERATE IMMUNITY IN HUMANS
AGAINST SELF TUMOR ANTIGENS BY IMMUNIZATION WITH HOMOLOGOUS
FOREIGN PROTEINS


by inventors Martin A. Cheever and Mary L. Disis
as described in:

- ☐ the specification filed herewith.
☒ Application No. 09/088,951, filed June 2, 1998.
☐ Patent No. _____, issued _____.

I declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. § 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).*

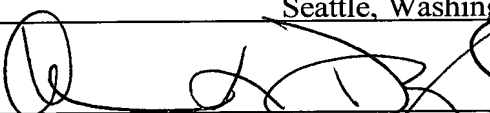
*NOTE: Separate verified statements are required from each named person, concern and organization having rights to the invention averring to his/its status as a small entity. (37 C.F.R. § 1.27)

SIGNATURE 
FULL NAME Mark McDade, Chief of Operations
ADDRESS Corixa Corporation
1124 Columbia Street, Suite 464
Seattle, Washington 98104

- ☐ individual
☒ small business concern
☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Karen L. Deyerle
TITLE IN ORGANIZATION Manager, Health Sciences
ADDRESS OF PERSON SIGNING 1107 N.E. 45th Street, Suite 200
Seattle, Washington 98105
SIGNATURE  DATE 8-31-98



DECLARATION

#3

As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.

We believe we are the original, first, and joint inventors of the invention entitled "METHODS AND COMPOSITIONS TO GENERATE IMMUNITY IN HUMANS AGAINST SELF TUMOR ANTIGENS BY IMMUNIZATION WITH HOMOLOGOUS FOREIGN PROTEINS," which is described and claimed in the specification and claims of Patent Application No. 09/088,951, which we filed in the United States Patent and Trademark Office on June 2, 1998; and claims the benefit of United States Provisional Patent Application No. 60/048,406, filed June 3, 1997; and for which a patent is sought.

We have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment specifically referred to herein (if any).

We acknowledge our duty to disclose information of which we are aware which is material to the patentability and examination of this application in accordance with 37 C.F.R. § 1.56(a).

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

Martin A. Cheever

Martin A. Cheever

Date

7/29/98

Residence

:

City of Mercer Island, County of King
State of Washington

Citizenship

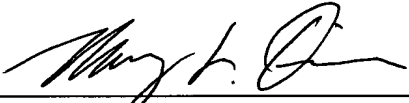
:

United States of America

P.O. Address

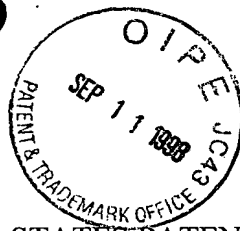
:

6825 - 83rd Avenue Southeast
Mercer Island, Washington 98040



Mary L. Disis

Date 8/31/98
Residence : City of Renton, County of King
State of Washington
Citizenship : United States of America
P.O. Address : 17850 Southeast 192nd Drive
Renton, Washington 98055



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Martin A. Cheever and Mary L. Disis
Application No. : 09/088,951
Filed : June 2, 1998
For : METHODS AND COMPOSITIONS TO GENERATE
IMMUNITY IN HUMANS AGAINST SELF TUMOR
ANTIGENS BY IMMUNIZATION WITH HOMOLOGOUS
FOREIGN PROTEINS

RECEIVED
TECH CENTER 1600/2900
98 SEP 17 AM 10:27

Docket No. : 920010.535

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints RICHARD W. SEED, Reg. No. 16,557; ROBERT J. BAYNHAM, Reg. No. 22,846; EDWARD W. BULCHIS, Reg. No. 26,847; GEORGE C. RONDEAU, JR., Reg. No. 28,893; DAVID H. DEITS, Reg. No. 28,066; WILLIAM O. FERRON, JR., Reg. No. 30,633; PAUL T. MEIKLEJOHN, Reg. No. 26,569; DAVID J. MAKI, Reg. No. 31,392; RICHARD G. SHARKEY, Reg. No. 32,629; DAVID V. CARLSON, Reg. No. 31,153; MAURICE J. PIRIO, Reg. No. 33,273; KARL R. HERMANN, Reg. No. 33,507; DAVID D. MCMASTERS, Reg. No. 33,963; ROBERT IANNUCCI, Reg. No. 33,514; MICHAEL J. DONOHUE, Reg. No. 35,859; CHRISTOPHER J. DALEY-WATSON, Reg. No. 34,807; STEVEN D. LAWRENZ, Reg. No. 37,376; ROBERT G. WOOLSTON, Reg. No. 37,263; ELLEN M. BIERMAN, Reg. No. 38,079; BRYAN A. SANTARELLI, Reg. No. 37,560; CAROL NOTTENBURG, Reg. No. 39,317; CRAIG S. JEPSON, Reg. No. 33,517; PAUL T. PARKER, Reg. No. 38,264; JOHN C. STEWART, Reg. No. 40,188; DAVID W. PARKER, Reg. No. 37,414; ROBERT E. MATES, Reg. No. 35,271; BRIAN G. BODINE, Reg. No. 40,520;

FRANK ABRAMONTE, Reg. No. 38,066; E. RUSSELL TARLETON, Reg. No. 31,800; FREDERICK M. FLIEGEL, Reg. No. 36,138; JAN C. L. MAXWELL, Reg. No. 41,181; THOMAS L. EWING, Reg. No. 34,328; CLIFTON G. GREEN, Reg. No. 41,044; KEVIN S. COSTANZA, Reg. No. 37,801; DALE C. BARR, Reg. No. 40,498; KEVIN S. ROSS, Reg. No. P-42,116; PAUL F. RUSYN, Reg. No. P-42,118; JOHN M. WECHKIN, Reg. No. P-42,216; THOMAS E. LOOP, Reg. No. P-42,810; STEPHEN J. ROSENMAN, Reg. No. P-43,058; and BRIAN L. JOHNSON, Reg. No. 40,033, comprising the firm of SEED AND BERRY LLP, 6300 Columbia Center, Seattle, Washington 98104-7092, as its attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to Richard G. Sharkey at (206) 622-4900 and telecopies to (206) 682-6031.

Please direct all communications to:

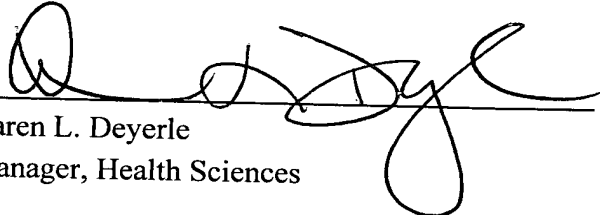
Richard G. Sharkey, Esq.
Seed and Berry LLP
6300 Columbia Tower
701 Fifth Avenue
Seattle, Washington 98104-7092

RECEIVED
TECH CENTER 1600/2900
98 SEP 17 AM 10:27

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to the University of Washington filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

University of Washington
ASSIGNEE

9/1/98
DATE


Karen L. Deyerle
Manager, Health Sciences

Enclosure:
Copy of Assignment

KP/5712/1

ASSIGNMENT

WHEREAS, we, Martin A. Cheever and Mary L. Disis (hereinafter referred to as ASSIGNORS), having post office addresses of 6825 - 83rd Avenue Southeast, Mercer Island, Washington 98040 and 17850 Southeast 192nd Drive, Renton, Washington 98055, respectively, are the joint inventors of an invention entitled "METHODS AND COMPOSITIONS TO GENERATE IMMUNITY IN HUMANS AGAINST SELF TUMOR ANTIGENS BY IMMUNIZATION WITH HOMOLOGOUS FOREIGN PROTEINS," as described and claimed in the specification for which an application for United States letters patent was filed on June 2, 1998, and assigned Application No. 09/088,951; and claims the benefit of United States Provisional Patent Application No. 60/048,406, filed June 3, 1997.

WHEREAS, the University of Washington (hereinafter referred to as ASSIGNEE), a nonprofit organization of the State of Washington having a place of business at Seattle, Washington 98195, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

7/29/98
Date

Martin A. Cheever
Martin A. Cheever

State of Washington)
County of King) ss.

I certify that I know or have satisfactory evidence that Martin A. Cheever is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

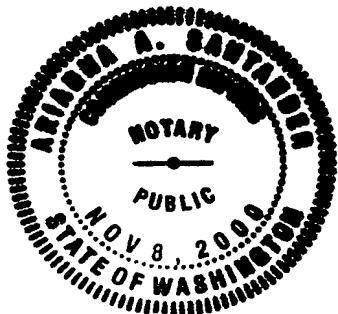
Dated 7/29/98
Signature of Notary Public C. D. Osterander
Printed Name Cassie D. Osterander
My appointment expires 12/4/99

8/31/98
Date

Mary L. Disis
Mary L. Disis

State of Washington)
County of King) ss.

I certify that I know or have satisfactory evidence that Mary L. Disis is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 8/31/98
Signature of Notary Public Ariadna A. Santander
Printed Name Ariadna A. Santander
My appointment expires Nov 8, 2000